

# Town of Lunenburg

## Finance Committee:

Mark Erickson, Chairman  
Brian Laffond, Vice-Chairman  
Martha McDonald, Secretary  
Barbara Reynolds  
John Male  
Scott Gile



*Mark Erickson*  
6/14/12

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**JUN 15 2012**

**LUNENBURG TOWN  
CLERK OFFICE**

## Lunenburg Finance Committee Minutes May 5, 2012

Location: Lunenburg High School classroom  
Present: Mark Erickson, Barbara Reynolds, Scott Gile, John Male, Martha McDonald  
Absent: Brian Laffond

- 1) Meeting called to order by the Chairman at 8:08 AM
- 2) Review Warrant Articles
  - ATM Article 9 – BOS meeting on Tuesday night brought to light if stabilization fund is involved in a vote you need 2/3 vote rather than a majority vote; Counsel's advice was to revise Article 9 so \$284K goes to reserve fund as spelled out in Motion Sheet; BR moved to recommend approval of Article 9 as written in Motion Sheet 2012 Town Meeting Final Draft dated 5/3/12 (HANDOUT), JM seconded, discussion held, all approved 5-0
  - ATM Article 10 – SG recommended passing over Article 10, BR seconded, all approved 5-0
  - ATM Article 5 – Police Officers Collective Bargaining – BR recommends approval of rewritten language per Motion Sheet 2012, JM seconded, discussion held, all approved 5-0
  - ATM Article 20 – Personal Property – BR moves we recommend as written in the Town Warrant, JM seconded, all in favor 5-0
  - ATM Article 12 – DPW Contract – BR recommends we pass over Article 12, SG seconded, all in favor 5-0
- 3) Adjournment – BR made motion to adjourn at 8:45 AM, SG seconded, all in favor 5-0

Minutes respectfully submitted by Martha McDonald

## Motion Sheet 2012 Town Meeting

### Special Town Meeting

**Final Draft 05/03/12**

**D. MATTHEWS** ARTICLE 1. I move to transfer the sum of \$5,606.98 from Line 13, Reserve Fund, of Article 20 of the May 7, 2011 Annual Town Meeting to fund Prior Year Expenses. [Submitted by the Town Accountant] Board of Selectmen recommends approval, 5 – 0. Finance Committee recommends approval, 5 – 0, with one member absent. Vote requires a 9/10<sup>th</sup> majority.

**Note:** Bills relate back to a Police Officer's Injured-on-Duty Claim. Maximum Benefit under Insurance Policy was reached. Bills for remaining claims were not received until after the December 2011 Special Town Meeting. Prior Year Bills cannot be paid by the Town Accountant without Town Meeting approval

**T. ALONZO** ARTICLE 2. I move to pass over Article 2. [Submitted by the Town Manager] Board of Selectmen to make recommendation at Town Meeting. Finance Committee recommends approval, 5 – 0, with one member absent. Vote requires a simple majority.

**Note:** Any appropriation to the Stabilization Fund will occur as a result of action under Article 10, Annual Town Meeting.

**E. SUND** ARTICLE 3. I move to pass over Article 3. [Submitted by the Town Manager] Board of Selectmen to make recommendation at Town Meeting. Finance Committee recommends approval, 5 – 0 with one member absent. Vote requires a simple majority.

**Note:** There is no need to make any adjustments to the FY2012 Budget which require Town Meeting Action.

**P. BERTRAM** ARTICLE 4. I move to rescind the sum of \$833,370.13, the remaining borrowing authorization, from Article 16 of the May 6, 2006 Annual Town Meeting for engineering, permitting, and construction of drinking water and wastewater improvements at Meadow Woods Mobile Home Park. [Submitted by the Town Manager] Board of Selectmen Recommends Approval, 5 – 0. Finance Committee Recommends Approval, 6 – 0. Vote requires a simple majority.

**Note:** The full amount of the borrowing authorization was \$4,154,298. The actual amount bonded was \$2,864,000. Under Article 11 of the December 5, 2011 Special Town Meeting, \$456,927.87 of the remaining authorization was rescinded, due to receipt of a grant. The remaining balance of \$833,370.13 now also needs to be rescinded.

**S. DEBETTENCOURT** ARTICLE 5. I move to raise and appropriate the sum of \$0 dollars to fund the first year of the Police Officers Collective Bargaining Agreement dated July 1, 2010 – June 30, 2013, and to transfer the sum of \$24,593 from Line 13A, Salary Reserve Fund, of Article 20 of the May 7, 2011 Annual Town Meeting, to Line 41, Police Department, of Article 20 of the May 7, 2011 Annual Town Meeting, to fund year 2 [FY2012] of the agreement. [Submitted by the Town Manager] Board of Selectmen and Finance Committee to make recommendations at Town Meeting. Vote requires a simple majority.

**Note:** The settlement for Year 1 [FY11] is for a 0% COLA, therefore no additional appropriation is needed. The settlement for Year 2 [FY12] is for a 2.5% COLA. Funding for the anticipated settlement has been set aside in the FY2012 Salary Reserve Account. This action will move the required funding from the Salary Reserve Account to the Police Department Budget.

## Motion Sheet 2012 Town Meeting

**D. MATTHEWS** ARTICLE 6. I move to transfer the sum of \$5,954 from Line 13A, Salary Reserve Fund, of Article 20 of the May 7, 2011 Annual Town Meeting, to Line 46, Fire Department, to fund the first year of the Lunenburg Professional Firefighters Collective Bargaining Agreement dated July 1, 2011 – June 30, 2014. [Submitted by the Town Manager] Board of Selectmen Recommends Approval, 5 – 0. Finance Committee recommends approval, 5 – 0, with one member absent. Vote requires a simple majority.

**Note:** The settlement is for a 3 year contract, with an average increase of 2.15% per year. Funding for the anticipated settlement has been set aside in the FY2012 Salary Reserve Account. This action will move the required funding from the Salary Reserve Account to the Fire Department Budget.

**T. ALONZO** ARTICLE 7. I move to transfer from Free Cash the sum of \$39,124 to Line 79A, School Unemployment, of Article 20 of the May 7, 2011 Annual Town Meeting, to fund extraordinary Unemployment Benefits incurred as a result of department layoffs in FY10, FY11 or FY12. [Submitted by Town Manager] Board of Selectmen to make recommendation at Town Meeting. Finance Committee recommends approval of \$39,124, 5 – 0, with one member absent.. Vote requires a simple majority.

**Note:** This request is for an additional FY2012 Appropriation. The source of funding is Free Cash. As of July 1, 2011, Certified Free Cash is \$104,113.

## Annual Town Meeting

**E. Sund** Articles 1 - 6. I move that Articles 1, 2, 3, 4, 5 and 6 be passed by consent. **Vote requires a simple majority.**

**E. SUND** ARTICLE 1. CC I move the Town vote to re-authorize in accordance with MGL Chapter 44, §53E½ the Ambulance Billing revolving fund. The purpose of this fund will be to cover the cost associated with compensating third party advanced life support companies and third party billing companies that contract and supply services to the town. Five per cent (5%) of the total revenue generated by ambulance services rendered and 100% of the revenue generated by Advanced Life Support services rendered shall be deposited into said revolving fund. The proceeds of said Revolving Fund shall be expended by the Fire Department without further appropriation for the sole purpose of reimbursing the aforementioned companies for services rendered to the town; expenditures from the revolving fund may not exceed \$50,000 during the fiscal year without the approval of the Board of Selectmen and Finance Committee. Board of Selectmen Recommends Approval, 5 – 0. Finance Committee Recommends Approval, 6 - 0. Vote requires a simple majority.

**E. SUND** ARTICLE 2. CC I move the Town vote to re-authorize in accordance with MGL Chapter 44, §53E½ the Timber Rights revolving fund, such fund to be credited with the proceeds of sale by the Conservation Commission of the rights to harvest timber; funds in the account to be expended for the acquisition of

## Motion Sheet 2012 Town Meeting

land for conservation purposes and associated costs of such acquisitions, including but not limited to appraisals and payment of accrued taxes; such funds may also be expended for improvements on land already under the custody and control of the Conservation Commission; the Conservation Commission may expend such funds without further appropriation; expenditures from the revolving fund may not exceed \$5,000 during the fiscal year without the approval of the Board of Selectmen and Finance Committee; or take any other action relative thereto. [Submitted by Board of Selectmen] Board of Selectmen Recommends Approval, 5 – 0. Finance Committee Recommends Approval, 6 – 0. Vote requires a simple majority.

**E. SUND ARTICLE 3. CC** I move the Town vote to re-authorize in accordance with MGL Chapter 44, §53E½, the Custodial Special Detail Revolving Fund, for the purpose of paying special detail salaries for outside functions. Charges and money received from outside organizations in connection with this program are to be deposited in said revolving fund and expended by the Lunenburg School Committee without further appropriation for the sole purpose of paying personnel for hours worked. Said revolving account expenditures shall not exceed \$25,000 per year without the approval of the Board of Selectmen and Finance Committee; or take any other action relative thereto. [Submitted by Board of Selectmen] Board of Selectmen Recommends Approval, 5 – 0. Finance Committee Recommends Approval, 6 – 0. Vote requires a simple majority.

**E. SUND ARTICLE 4. CC** I move the Town vote to re-authorize in accordance with MGL Chapter 44, §53E½, the Greenthumb Revolving Fund, to support the Greenthumb Program at Lunenburg High School. Fees, charges, and money received from sales of items in connection with this program are to be deposited in this Revolving Fund Account and expended for the operation of this program by the Lunenburg School Committee without further appropriation; said revolving account expenditures shall not exceed \$10,000 per year without the approval of the Board of Selectmen and Finance Committee; or take any other action relative thereto. [Submitted by Board of Selectmen] Board of Selectmen Recommends Approval, 5 – 0. Finance Committee Recommends Approval, 6 – 0. Vote requires a simple majority.

**E. SUND ARTICLE 5. CC** I move the Town vote to re-authorize in accordance with MGL Chapter 44, §53E½, the Library Revolving Fund, to receive funds from library fines and penalties, donations and bequests up to \$12,000, said funds to be expended by the Trustees of Lunenburg Public Library for the purchase of library and information materials and document information and electronic data delivery. Charges expenditures from the revolving fund may not exceed \$12,000 during the fiscal year without the approval of the Board of Selectmen and Finance Committee; or take any other action relative thereto. [Submitted by Board of Selectmen] Board of Selectmen Recommends Approval, 5 – 0. Finance Committee Recommends Approval, 6 – 0. Vote requires a simple majority.

**E. SUND ARTICLE 6. CC** I move the Town vote to re-authorize in accordance with MGL Chapter 44, §53E½, the Council on Aging/Montachusett Area Regional Transit (MART) Elderly Transportation Revolving Fund; the operation of said account shall be conducted by the Council on Aging, and the Senior Center Director; funds in this account shall be spent on the dispatch, operation, maintenance and record keeping of the MART vehicles for the elderly transportation program; all receipts resulting from MART reimbursements shall be credited to this account; said revolving account expenditures shall not exceed \$38,000 per year without the prior approval of the Board of Selectmen and the Finance Committee; or take any other action relative thereto. [Submitted by Board of Selectmen] Board of Selectmen Recommends Approval, 5 – 0. Finance Committee Recommends Approval, 6 – 0. Vote requires a simple majority.

## Motion Sheet 2012 Town Meeting

**P. BERTRAM**                      **ARTICLE 7.**                      I move the Town vote to hear and/ or accept the regular written reports of the Town Officers and Committees. . [Submitted by Board of Selectmen] Board of Selectmen Recommends Approval, 5 – 0. Finance Committee reports no direct financial impact **Vote requires a simple majority.**

**S. DEBETTENCOURT**                      **ARTICLE 8.**                      I move the Town vote to raise and appropriate \$26,562,011, transfer \$10,872 from Septic Receipts Reserved for Appropriation, transfer \$36,858 from the Sewer Enterprise Fund, transfer \$781,319 from the Sewer Enterprise Betterment Revenue, transfer \$62,781 from the Water Betterment Revenue, to defray the charges and expenses of the Town for Fiscal Year 2013 of \$27,453,841, and to fix the salaries and compensation of all elected officials of the Town and any other items included in the budget of the Town Manager, or take any other action relative thereto. [Submitted by the Town Manager] Board of Selectmen Recommends Approval, 5 – 0. Finance Committee Recommends Approval of budget amount of \$27,453,841, 6 - 0. **Vote requires a simple majority.**

**Note: Town Manager to present Balanced Budget Proposal.**

**D. MATTHEWS**                      **ARTICLE 9.**                      I move the Town vote to raise and appropriate the sum of \$2,200,000 for the purpose of additional funding to meet the FY2013 Town Manager's Override Budget , and more specifically to increase Line 13, Reserve Fund by \$288,432, to increase Line 17, Annual Town Audit by \$8,000, to increase Line 20, Selectmen's Administration by \$50,752, to increase Line 25, Treasurer's Administration by \$7,549, to increase Line 27, Tax Collector's Administration by \$4,650, to increase Line 37, Planning Board, by \$9,647, to increase Line 39, Conservation Commission by \$8,500, to increase Line 41, Police Department, by \$31,554, to increase Line 46, Fire Department, by \$5,463, to increase Line 53, Building Inspector, by \$11,290, to increase Line 57, General Health Expense, by \$8,500, to increase Line 62, Highway Labor, by \$34,698, to increase Line 64, General Highway Maintenance, by \$550,000, to increase Line 74, Council on Aging, by \$14,325, to increase Line 79, School Department, by \$1,131,040, to increase Line 82, Lunenburg Public Library, by \$35,600, for a total appropriation of \$2,200,000, such sum contingent upon the approval by the voters of an override of Proposition 2 ½, so-called. [Submitted by the Board of Selectmen] Board of Selectmen Recommends Approval, 3 – 2. Finance Committee Recommends Approval, 6 - 0. **Vote requires a simple majority.**

**Note: Town Manager to present Override Budget Proposal.**

**T. ALONZO**                      **ARTICLE 10.**                      I move the Town vote to pass over Article 10. [Submitted by the Town Manager] **Vote requires a 2/3rds majority.**

**Note: There is no action to be taken under this article.**

## Motion Sheet 2012 Town Meeting

**M. MACKIN**

**ARTICLE 11.** I move the Town appropriate the amount of \$750,000 for the purpose of paying the costs to conduct a feasibility study at the Lunenburg High School, 1079 Massachusetts Avenue, Lunenburg, Massachusetts, including the payment of all costs incidental or related hereto, and for which the Town of Lunenburg may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the School Building Committee. To meet this appropriation, \$30,000 will be transferred from Article 2 of the May 3, 2008 Annual Town Meeting, and the Treasurer with the approval of the Board of Selectmen is authorized to borrow the balance of \$720,000 under and pursuant to M.G.L. Chapter 44, or pursuant to any other enabling authority. The Town of Lunenburg acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based upon need, as determined by the MSBA, and any costs the Town of Lunenburg incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town of Lunenburg, and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the Town of Lunenburg and the MSBA. [Submitted by the School Building Committee] Board of Selectmen Recommends Approval, 5 - 0. Finance Committee Recommends Approval, 5 - 1. Vote requires a 2/3rds majority.

**Note:** Superintendent Calmes and/ or the School Building Committee will present the proposal.

**E. SUND**

**ARTICLE 12.** I move to pass over Article 12. [Submitted by the Town Manager] Board of Selectmen and Finance Committee to make recommendations at Town Meeting. Vote requires a simple majority.

**Note:** No contract settlement has been reached.

**P. BERTRAM**

**ARTICLE 13.** I move the Town vote to appropriate from Water Enterprise Revenues the sum of \$5,000 to operate the Water Department. [Submitted by the Board of Selectmen] Board of Selectmen Recommends Approval, 5 - 0. Finance Committee Recommends Approval, 6 - 0. Vote requires a simple majority.

**Note:** \$5,000 is the amount of money needed to fund FY13 Water Department expenses.

**S. deBETTENCOURT**

**ARTICLE 14.** I move the Town vote to appropriate from Solid Waste Disposal Enterprise Revenues the sum of \$285,000 to operate the Solid Waste Disposal Program. [Submitted by the Board of Selectmen] Board of Selectmen recommends approval, 5 - 0. Finance Committee recommends approval, 6 - 0. Vote requires a simple majority.

**Note:** \$285,000 is the amount of money needed to fund FY13 Pay-As-You-Throw expenses. Program is paid for 100% through user fees. No increase in bag fees is proposed.

**R. EBERSOLE**

**ARTICLE 15.** I move the Town vote to appropriate from Sewer Enterprise Revenues the sum of \$570,518 and to appropriate from Sewer Retained Earnings the sum of \$73,208, for a total appropriation of \$643,726, to operate the Sewer Department. [Submitted by the Sewer Commission] Board of Selectmen to make recommendation at Town Meeting. Finance Committee Recommends Approval, 5 - 0, 1 abstaining. Vote requires a simple majority.

**Note:** Sewer Commission Chair Bob Ebersole to present budget.

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**M. BENSON** ARTICLE 16. I move the Town vote to raise and appropriate the sum of \$439,193 and to transfer the sum of \$1,789.27 from Article 2 of the November 6, 2001 Special Town Meeting; and \$7,112.98 from Article 8 of the October 1, 2002 Special Town Meeting; and \$3.99 from Article 21 of the December 5, 2006 Special Town Meeting; \$4,875 from Article 7 of the May 5, 2007 Annual Town Meeting; and \$2,903.39 from Article 8 of the May 3, 2008 Annual Town Meeting; and \$103.90 from Article 9 of the May 3, 2008 Annual Town Meeting; and \$848.64 from Article 7 of the May 2, 2009 Annual Town Meeting; and \$3,313.54 from Article 13 of the May 1, 2010 Annual Town Meeting; and \$14.29 from Article 2 of the May 1, 2010 Annual Town Meeting; \$74.00 from Article 7 of the November 30, 2010 Special Town Meeting; and \$4,255.00 from Article 19 of the May 7, 2011 Annual Town Meeting, for a total appropriation of \$464,487 to fund the FY13 Capital Plan, as appearing in the Capital Planning Report. [Submitted by the Capital Planning Committee] Board of Selectmen Recommends Approval, 5 - 0. Finance Committee Recommends Approval, 6 - 0. Vote requires a simple majority.

**Note:** Capital Planning Committee to make the presentation.

**E. BAKAYSA** ARTICLE 17. I move the Town vote to amend the Zoning Bylaw by adding to the current bylaw Section 4.0, entitled "Use Regulations," a new Section entitled Section 4.15, "Solar Energy Systems," as printed in the Lunenburg Planning Board handout dated May 5, 2012. [Submitted by the Planning Board] Board of Selectmen to make recommendation at Town Meeting. Finance Committee reports no direct financial impact **Vote requires a 2/3rds majority.**

**Note:** Planning Board to make presentation

**If Article 17 does not pass, or petitioners choose not to pass over the petition article.**

**PETITIONER** ARTICLE 18. I move the Town vote to amend the protective bylaw to include a new section with regard to solar energy systems titled Section 4.15 Solar Energy Systems, and to remove section 6.6.7 Solar Energy Systems, as printed in the warrant. [Submitted by Petitioners] Board of Selectmen to make recommendation at Town Meeting. Finance Committee reports no direct financial impact **Vote requires a 2/3rds majority.**

**Note:** Petitioners to make presentation

OR

**If Article 17 passes and the petitioners choose to pass over the petition article.**

**PETITIONER** ARTICLE 18. I move to pass over Article 18. [Submitted by Petitioners] Board of Selectmen to make recommendation at Town Meeting. Finance Committee reports no direct financial impact **Vote requires a simple majority.**

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**If Article 17 or 18 passes, make this motion**

**E. BAKAYSA** ARTICLE 19. I move the Town vote to delete from the current Section 6.6 in the Zoning Bylaw, Section 6.6.7, entitled "Solar Energy Systems." [Submitted by the Planning Board] Board of Selectmen to make recommendation at Town Meeting. Finance Committee reports no direct financial impact **Vote requires a 2/3rds majority.**

**Note: Planning Board to make presentation**

**D. MATTHEWS** ARTICLE 20. I move the Town vote to accept Chapter 59, Section 5, Clause 54 of the General Laws of Massachusetts establishing minimum fair cash value of \$2,500 for personal property accounts to be taxed. [Submitted by the Board of Assessors] Board of Selectmen to make recommendation at Town Meeting. Finance Committee to make recommendation at Town Meeting. **Vote requires a simple majority.**

**Note: Board of Assessors to make presentation**

**T. ALONZO** ARTICLE 21. I move the Town vote to appropriate \$138,700 from the Zoning Incentive Stabilization Fund to fund the Town's share of the 25% design fee for the reconstruction of Summer Street. [Submitted by the Town Manager] Board of Selectmen to make recommendation at Town Meeting. Finance Committee to make recommendation at Town Meeting. **Vote requires a 2/3rds majority.**

**Note: Town Manager to make presentation**

**R. EBERSOLE** ARTICLE 22. I move the Town vote to amend Article XXIV(B) of the Town Bylaws, entitled "Lunenburg Sewer Bylaw," by adding the following as a new third paragraph to Section 3.0, "Connection Eligibility": Sewer connections shall be located entirely on the property they are to serve. The connection must enter the property directly from the public way in which the sewer is located. No connections shall be allowed via an easement. A sewer line must remain within the parcel that it serves." [Submitted by the Sewer Commission] Board of Selectmen to make recommendation at Town Meeting. Finance Committee reports no direct financial impact **Vote requires a simple majority.**

**Note: Sewer Commission to make presentation**

**P. BERTRAM** ARTICLE 23. I move the Town vote to authorize the Board of Selectmen to convey to the owners of the "Jones House" situated at 42 Main Street, and their successors and assigns a non-exclusive, perpetual easement for the purpose of using that portion of the existing driveway in, along and upon those portions of the Town-owned property at 15 Memorial Drive, Lunenburg shown as "Driveway Easement" on a sketch plan on file with the Town Clerk, on such terms and conditions which the Board of Selectmen may determine. [Submitted by the Board of Selectmen] Board of Selectmen Recommends Approval, 5 - 0. Finance Committee reports no direct financial impact **Vote requires a simple majority.**

**Note: Town Manager to make presentation**



## Motion Sheet 2012 Town Meeting

**S. deBETTENCOURT**

**ARTICLE 24.**

I move to pass over Article 24. [Submitted by the

Conservation Commission] Board of Selectmen and Finance Committee to make recommendations at Town Meeting. Vote requires a simple majority.

**Note:** There is no legal authority to establish a revolving fund for this purpose.

**E. SUND or PACC**

**ARTICLE 25.**

I move the Town vote to amend Article 25 of the Town

Bylaws, entitled "Public Access Cable Committee", as printed in the warrant. [Submitted by the Public Access Cable Committee] Board of Selectmen to make recommendation at Town Meeting. Finance Committee reports no direct financial impact **Vote requires a simple majority.**

**Note:** PACC to make presentation